

Atty. Docket No. JP919990098PCT
(590.051)

REMARKS

Applicants and the undersigned are most grateful for the time and effort accorded the instant application by the Examiner. In the Office Action dated July 18, 2005, pending Claims 15-37 were rejected and the rejection made final. Of these claims, Claims 22, 24-27, 29 and 37 have been indicated by the Office as being withdrawn as a result of the restriction requirement. Applicants continue to traverse the restriction requirement. Of the other claims, Claims 15, 23, 28, and 30 are independent claims and the remaining claims are dependent claims. An Amendment After Final, requesting the Examiner's reconsideration of the rejections, was previously filed on September 19, 2005; however, the Advisory Action of October 3, 2005, denied the requested reconsideration. Thus, a Request for Continued Examination is currently being filed with this Amendment and Remarks.

Claims 15-18, 23, 28, and 30-33 stand rejected under 35 USC § 102(e) as being anticipated by Nakamura et al. (hereinafter "Nakamura"), while Claims 19-21 and 34-36 have been found to be allowable if rewritten so as not to depend upon a rejected base claim. Claims 38-42 are newly added dependent claims directed toward further novel aspects of the presently claimed invention. The Office is respectfully requested to reconsider the rejections presented in the outstanding Office Action in light of the following remarks.

As has been previously indicated, Nakamura appears to be directed to an apparatus, method, and medium for embedding watermarks in video data, e.g. MPEG

Atty. Docket No. JP919990098PCT
(590.051)

data. However, there is no teaching or suggestion in Nakamura to have a system to embed watermarks in MPEG-2 video data. Thus, Nakamura clearly does not disclose the invention as set forth in the newly added claims. As indicated in the Applicants' Specification, "The method of the present invention can be applied for a packet in an MPEG2 stream, and can also be performed at low cost, without a high-cost process, such as DCT calculation, being required. Since only a small buffer is required, any delay is accordingly small. In addition, an electronic watermark can be detected even in a baseband image for which MPEG2 data have been developed. Since the information is embedded in the baseband image the watermark can be directly detected even when MPEG2 compression has been performed for the image data." (Page 5) Clearly, the newly added claims are novel and, moreover, patentably distinct over the presently cited art. Their immediate allowance is properly requested.

Furthermore, the Applicants' traverse the presently applied 35 USC §102(e) rejections for the reasons provided in the Remarks submitted in Applicants' Amendment After Final, which are hereby incorporated by reference as if fully set forth herein. Briefly, Nakamura clearly falls short of present invention (as defined by the independent claims) in that, *inter alia*, it does not disclose embedding part or all of the additional data into the video data and it also does not disclose extracting data for a small domain from the detected video frame and buffering the video data into which information is being embedded. Accordingly, Applicants respectfully submit that the applied art does not anticipate the present invention because, at the very least, "[a]nticipation requires the disclosure in a single prior art reference of each element of the claim under construction."

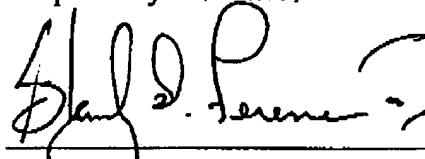
Atty. Docket No. JP919990098PCT
(590.051)

W.L. Gore & Associates, Inc. v. Garlock, 721 F.2d 1540, 1554 (Fed. Cir. 1983); *see also*
In re Marshall, 198 U.S.P.Q. 344, 346 (C.C.P.A. 1978).

In view of the foregoing, it is respectfully submitted that independent Claims 15, 23, 28, and 30 fully distinguish over the applied art and are thus allowable. By virtue of dependence from Claims 15 and 30, it is also submitted that Claims 16-21 and 31-42 are also allowable at this juncture. Applicants acknowledge that Claims 19-21 and 34-36 were indicated by the Examiner as being allowable if rewritten in independent form. Applicants reserve the right to file new claims of such scope at a later date that would still, at that point, presumably be allowable.

In summary, it is respectfully submitted that the instant application, including Claims 15-21, 23, 28, and 30-42, is presently in condition for allowance. Notice to the effect is hereby earnestly solicited. If there are any further issues in this application, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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